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GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
CARTY S. CHANG
Interim Chairperson**

**Before the House Committees on
WATER AND LAND
and
OCEAN, MARINE RESOURCES, AND HAWAIIAN AFFAIRS**

**Friday, April 17, 2015
11:00AM
State Capitol, Room 325**

**In consideration of
SENATE CONCURRENT RESOLUTION 82
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIKIKI,
HONOLULU, OAHU, FOR THE USE, MAINTENANCE AND REPAIR
OF THE EXISTING PIER**

Senate Concurrent Resolution 82 requests the authorization to issue a term, non-exclusive easement covering an estimated area of 288 square feet¹, more or less, portion of state submerged lands fronting the property identified as tax map key: (1) 3-6-001: seaward of 017, at Waikiki, Honolulu, Oahu for use, maintenance and repair of existing pier constructed thereon, pursuant to Section 171-53, Hawaii Revised Statutes (HRS). The Department of Land and Natural Resources ("Department") supports this concurrent resolution.

The current owners of the abutting property, Wilton Allen Doane, Jr. and Christina Dao Doane, worked with the Department to resolve the encroachment. The improvements were found encroaching on State lands located makai of the shoreline and such area should be considered as submerged lands. As required by Section 171-53, HRS, the Board of Land and Natural Resources ("Board") may lease submerged lands "with the prior approval of the Governor and the prior authorization of the Legislature by concurrent resolution". At its meeting on February

¹ Final easement area shall be subject to review and approval by the Department of Accounting and General Services, Survey Division.

27, 2015, under agenda item D-14, the Board approved the issuance of a term, non-exclusive easement for purposes stated above.

The grantee shall pay the State the fair market value of the easement as consideration for the use of public lands. The amount of consideration shall be determined by an independent appraisal.

April 17, 2015

Chair Yamane, Chair Ing, and Members of the House Committees on Water & Land and Ocean, Marine Resources & Hawaiian Affairs:

I am Allen Doane testifying in support of SCR 82 SD1, AUTHORIZING THE ISSUANCE OF A TERM, NONEXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS FRONTING THE PROPERTY IDENTIFIED AS TAX MAP KEY: (1) 3-6-001:017, WAIKIKI, HONOLULU, OAHU.

This resolution authorizes the Board of Land and Natural Resources (BLNR) to issue a term, non-exclusive easement over State submerged lands for an existing pier fronting our home. The prior owner of the property adjacent to the pier had a revocable permit issued by the BLNR. At their February 27, 2015 meeting, the BLNR approved the granting of a 55 year non-exclusive easement for this pier, subject to a one-time payment as consideration for the easement which will be determined by an independent appraisal establishing fair market value, and the approval of the BLNR Chair. The square footage area of the non-exclusive easement will also be subject to the review and approval of the Department of Accounting and General Services, Survey Division. Pursuant to HRS Section 171-53, the adoption of a concurrent resolution by the Legislature along with the approval of the Governor is required prior to the issuance of this non-exclusive easement.

We greatly appreciate your time in reviewing this matter and respectfully request your favorable consideration on this resolution. Thank you for the opportunity to testify.